

EXHIBIT 12

WITNESS FORM

DATE: 05/06/94

CASE # 9427980

NAME: JULIAN OLIVAREZ

DOB:

POB: SNYDER, TX.

RES. ADDRESS:

PHONE: NONE

BUS. ADDRESS:

PHONE:

PERM. RELATIVE: LINDA MAY OLIVAREZ

WIFE

622 S. LINCOLN

name

title

address

RES. PHONE: NONE

BUS. PHONE:

PERM PERMIT

ALVARO

MUTHER

SNYDER, TX.

name

title

address

RES. PHONE: UNKNOWN

BUS. PHONE:

CLOSE FRIEND :

name

address

My name is Julian Olvarez. I am 21 years old. I live at [redacted] I have lived in Odessa since I was six years old. I completed the 9th grade in school. I do read, write, and understand the English language. On Thursday, April 21, 1994 I got home around 11 pm. My wife, Linda, told me about Michael Gonzales coming over to our house. She said that he was acting like he had just done something, real hyper. She said that he left Martha and baby at the house. Michael then left with Jesse Perkins and some lady in a truck. When he left he had some clothes that he had in a plastic bag. The next time I saw Michael was a week later. It was Friday, April 22, 1994 around 10 PM. I was stopped at the stop sign at Schell and Lincoln. My wife was wife me. Michael came out of Donica's on the corner, where Rito stays. Michael came up to me and told me to go by his house, that he had some things that he wanted to look at to see if we wanted to buy any. My wife and I got off at his house and went through the back door. He told us to park in the back. We went in. Martha, and the baby were there. We went to his room and opened up his closet and there was a microwave, vcr, and stereo, and some speakers inside a crib. Under a pillow on his bed was camera, a Canon - black with a flash that moved up and around. Michael then said check it out, and we then went in his mom's room. There's a big old dresser against the wall. He told me to lift it up, and when I did, Michael pulled out underneath the dresser a silver pistol with white handles. It was a revolver, and it was a .22. It wasn't loaded. He just showed it to me. He then told me to lift the dresser up again, and he put it back underneath. My wife liked the microwave. I told him that I may be interest in the microwave. He wanted to get rid of everything. He said their on to me. He said that their going to send me away. He looked like he was all wired up. He said all right man, I'll come over to your house in a little bit. Michael called Martha in the bedroom and he said that we were interested in the microwave, and he would get her another one later. Martha said OK. We then left Michael's, and went home. We got home right after this. About five minutes later Michael showed up in a white little car. I think it was Rito's. It was a hatch back. I went outside when I saw him pull up. He opened the hatch back, and there was a microwave and vcr. He let me have the microwave for twenty dollars. I really didn't want the vcr. He asked me if he could leave it there, that he didn't want to have it anywhere around him. I told him OK. I also remember that Michael asked me for some shells for the revolver. He told me he needed shells for a 22. I gave him some in a blue box. It had about 10 or 11 bullets. The stereo, a Sound Design, dual tape decks, turntable, and build in equalizer, and inside the cabinet it was missing black strips, and some speakers about three feet high. It was like a two color stereo, pink and blue. I think that was it. I like the stereo, and he left it too. I was going to buy it from Michael, but he came and got it the next Thursday. He then said, I'll see you Friday. I asked him if I could sell it, how much did he want for the vcr. He said he wanted \$40.00 for it. I gave him \$20.00 for the microwave. It was a twenty dollar bill. He then left. I hadn't seen him till the next Thursday, which was April the 28th, 1994. It was around 2 or 3 pm. I didn't go to work that day. Michael was with Rito, and Daniel Lugo. There were in Rito's car. They just showed up at the house. Michael told me he wanted the stereo back. I told him I thought I could wait till Friday to pay him. He said that he already had it sold; so I told him to go ahead and take it. I was mad because he was taking it, so I wouldn't help Michael put it in the car. Daniel went and help Michael get the Sound Design out of my son's room. Rito held open the hatch back, when Michael and Daniel put it inside. They took off. I left too and drove around, because he took the stereo while my son watched. It was going to be his. On the next after Michael had left the stereo, microwave, and vcr at my house, which would have been during the weekend of April 22nd or 23rd, my cousin, Tony came over to the house. We were there in the kitchen and he asked where I had gotten the microwave.

CONTINUATION FROM PAGE ONE

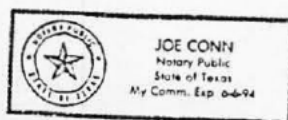
I told him that Michael had sold it to me. He asked me if I wanted to get rid of it. My old lady had already heard about the two people being killed who lived next to Michael and she told me she didn't want any of that stuff at the house. I told him to give me his microwave and he could take that one because it was bigger. We just swapped. I asked him if he could fix the vcr, because I had tried it and it didn't work. I told him if he could fix it he could have it for forty bucks. So he took it. Today, Detectives came to my house, and asked me to come with them to talk. I said alright. I then told them about what had happened and they asked me if I could get the microwave and the vcr back from my cousin. I told them I could. Sgt. Robertson gave me \$25.00 to get it back from my cousin. My wife and I went out to Tony's and got the vcr and microwave from him. I told him that I needed them back, and I gave him back his microwave. I then called Sgt. Robertson's pager and I met him at the Odessa Police Department, where I gave him the vcr and microwave. I want to say that I was at work on April 21, 1994. I went to work at 8 am and got home about 11 pm that night. I work with Odis Hawkins Home Improvement. His phone number is 362-3818 and in the mornings he picks me up for work. I didn't even know those old people were hurt. I think Michael did the murders. He acts wild. He's a Junkie.

[A large handwritten 'X' is drawn across the page, likely indicating a signature or a mark.]

I have read the 2 page(s) of this statement, and the facts contained herein are true and correct. This statement was started at 9:20 PM and was finished at 10:28 PM, on this date, by DETECTIVE SERGEANT SNOW ROBERTSON - METRO HOMICIDE.

[Handwritten signature of the Affiant]
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE
ME BY AFFIANT, THIS THE 6TH
DAY OF MAY A.D., 19 94.



[Handwritten signature of the Notary Public]
NOTARY PUBLIC FOR ECTOR COUNTY, TEXAS